

## **§ 3-307. District Committee on Inquiry.**

(A)(1) The Court shall appoint a Committee on Inquiry in each of six districts. For the purposes of these rules, such districts shall be coterminous with the Supreme Court Judicial District of the same number in effect at the time of the adoption of these rules, and as hereafter may be changed. The Committees on Inquiry shall contain the following number of members, one-third of whom shall be nonlawyers: districts 1 and 2 shall contain 12 members and districts 3, 4, 5, and 6 shall contain 6 members.

(2) The members of each committee shall be residents of, or have their principal law office in, the district in which they serve as herein described; provided, however, that members of the Committee on Inquiry for district 4 may reside in any part of Douglas County, and members of the Committee on Inquiry for district 2 may reside in Sarpy County.

(3) Members of the Committees on Inquiry as they exist as of the date of adoption of this rule amendment shall continue to serve out their terms on such committees; however, when those terms expire, replacement for such members shall be in accordance with the boundaries and residence requirements of these rules.

(B) The Court shall designate one member as Chairperson and two members as Vice Chairpersons, either of whom may serve as Chairperson in the event of the disqualification or unavailability of the Chairperson. Neither the Chairperson nor the Vice Chairpersons shall be nonlawyers.

(C) When a Committee on Inquiry is first appointed, one-sixth of its members shall be appointed for a term of one year, one-sixth for a term of two years, one-sixth for a term of three years, one-sixth for a term of four years, one-sixth for a term of five years, and one-sixth for a term of six years and thereafter all regular terms shall be six years. No member of the Committee shall serve consecutive terms but may, however, be reappointed after a lapse of one year.

(D) In the interest of continuity and efficiency of operation the Court may deviate from time to time from the above designated terms of membership. Any member who is participating in a disciplinary proceeding which is pending at the time the member's term expires shall continue to serve as a member of the Committee, with respect to such proceeding, until final disposition of that proceeding. Such a member will serve in addition to the regular members of that Committee. Members of the Committee shall not receive compensation for their services but may be reimbursed for travel and other expenses incidental to performance of their duties.

(E) The Committee on Inquiry shall have the following powers and duties:

(1) Review the investigations and Complaint presented to it by the Counsel for Discipline.

(2) Dismiss the Complaint upon being satisfied it is without foundation and merit.

(3) Issue a private reprimand if the Complaint indicates a matter not appropriate for a Formal Charge.

(4) Make application to the Court requesting that a member be placed on disability inactive

status or for an immediate temporary suspension of a member in conformity with §§ 3-311 or 3-312.

(5) Serve as an Arbitration Panel as provided by the Nebraska State Bar Association (NSBA) Fee Arbitration Plan.

(F) An Inquiry regarding a Complaint filed with a Committee on Inquiry by the Counsel for Discipline or a Matter submitted for Fee Arbitration to the NSBA Fee Arbitration Panel shall be conducted by an Inquiry Panel or Arbitration Panel composed of three members of the Committee appointed by the Chairperson of the Committee, one of whom shall be the Chairperson or a Vice Chairperson of the Committee, who shall serve as Chairperson of the Inquiry Panel or Arbitration Panel. One member of each Inquiry Panel or Arbitration Panel shall be a nonlawyer.

*Rule 7(A)(2) amended November 23, 1994; Rule 7(A)(2) amended May 30, 1996; Rule 7(A)(2) amended November 12, 1998; Rule 7(A)(1)-(3) amended March 24, 2004. Renumbered and codified as § 3-307, effective July 18, 2008; § 3-307(E)(5) adopted and § 3-307(F) amended April 6, 2016.*

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